

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

WILLIAM GANT
DALE AUTIN

CIVIL ACTION NO. 07-1696

VS.

JUDGE MELANÇON


POLICE DEPT. OF MORGAN CITY ET AL

MAGISTRATE JUDGE METHVIN

_____ ***ORDER REGARDING HEIGHTENED PLEADING REQUIREMENT***

In response to this court's order of February 11, 2008, plaintiffs have filed amended complaints on February 29, 2008 and March 25, 2008, alleging that the court's jurisdiction is based on 42 U.S.C. §1983, and clarifying that defendants are not sued in their individual capacities. Accordingly, no heightened-pleading review is necessary under Schultea v. Wood, 47 F.3d 1427 (5th Cir. 1995).¹

Signed at Lafayette, Louisiana, on April 3, 2008.



Mildred E. Methvin
United States Magistrate Judge
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Lafayette, Louisiana 70501
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¹ Schultea instructs that when public officials sued in their individual capacities plead qualified immunity in a §1983 case, the district court should "insist that a plaintiff file a reply" under Rule 7(a) Fed.R.Civ.P.